

REMARKS

STATUS OF CLAIMS

The Office Action dated October 17, 2003 has been received and its contents carefully considered. Claims 3-12 and 17-20 are pending. Claims 3, 8 and 17 are independent. The Examiner is thanked for the telephonic interview on February 12, 2004 in which it was agreed to file this request for reconsideration based on both the Examiner's remarks in response to arguments of the previous amendment filed September 23, 2003 and the lack of structural teachings in the cited prior art with regard to the "temperature sensor connected to the evaporator" claimed structure.

- Reconsideration and withdrawal of the outstanding rejections are respectfully
- requested in view of the following remarks.

OFFICE ACTION

Claims 3-12 and 17-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over the Kanai '921 in view of Marshall et al. '891. This rejection is respectfully traversed with respect to the following reasons.

Without conceding the propriety of the rejections, claim 3 recites, *inter alia*, said sensors are temperature sensors which are connected to said evaporator. Kanai '921 shows in FIGS. 1, 3, 6 and 9 a system for testing refrigeration units which lacks the structure of temperature sensors connected to the evaporator. Marshall et al. '891 teaches the structure of placing temperature sensors only in an air stream of exhaust air (at 168, 172 & 198, 200 & 216, 220 & 218, 248) and is silent on the presently claimed structure of connecting temperature sensors to an evaporator. In accordance with the M.P.E.P. §2143.03, to